

**REMARKS**

Applicants submit this Amendment and Request for Continued Examination in response to the Final Office Action dated January 28, 2004.

By this Amendment, Applicants have cancelled claims 5 and 32, without prejudice or disclaimer, amended claims 1, 6-8, 10, 16, 17, 24, 29, and 33-35, and added new claims 37-47. Claims 1, 16, 17, and 29 are the independent claims. The originally filed specification, drawings, and claims fully support the subject matter of the claim amendments to and the new claims. No new matter has been introduced.

Before entry of this Amendment, claims 1, 3-8, 10-22, and 24-35 were pending in this application. After entry of this Amendment, claims 1, 3, 4, 6-8, 10-22, 24-31, and 33-47 are pending in this application.

Applicants have amended independent claims 1, 16, 17, and 29 to clarify the claimed invention. For example, the recitation relating to the stent remaining patent have been moved for clarity. In addition, amendments to the independent claims have been made to remove certain recitations from the independent claims, such as a "substantially straight" stent and a stent having "a flared end."

On pages 2-4 of the Final Office Action, claims 1, 3-8, 10-22, and 24-35 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,406,488 to Tweden et al. ("Tweden") in view of U.S. Patent No. 6,409,697 to Eno et al. ("Eno"). Applicants respectfully traverse this rejection. In order to render a claim unpatentable under 35 U.S.C. §103, the cited references must disclose every aspect of the claimed invention. Because neither Tweden nor Eno disclose or suggest every

aspect of each of independent claims 1, 16, 17, and 29, Applicants respectfully assert that those claims, as well as any claims depending therefrom, are patentable.

For example, each of claims 1, 16, 17, and 29 recites a method or conduit for providing blood flow directly from a heart chamber to a coronary vessel including, among other aspects, a stent having a covering and a coating over the covering on the inner surface of the stent. Contrary to the Examiner's assertion on page 4, lines 1-3 of the Final Office Action, Tweden does not disclose or suggest at least this aspect of the claimed invention either alone or in combination with the other aspects of the claimed invention. Instead, Tweden discloses that the liner 30, which the Examiner alleges corresponds to "the covering" in the claims, "is impregnated with an agent for controlling coagulation cascade and platelet activation and adhesion." (Col. 4, lines 28-31) Thus, even assuming *arguendo* that the agent corresponds to the "coating" in the claims, the coating is impregnated in the covering, and not "over the covering on the inner surface portion" as set forth in the claims. Moreover, Eno does not remedy at least this deficiency of Tweden, and indeed the Examiner has not asserted otherwise in the Final Office Action. Accordingly, Applicants respectfully request withdrawal of the Section 103(a) rejection and allowance of independent claims 1, 16, 17, and 29 and their respective dependent claims.

Applicants further submit that each of claims 3, 4, 6-8, 10-15, 18-22, 24-28, 30-31, and 33-47 depend from one of independent claims 1, 16, 17, and 29, and are therefore allowable for at least the same reasons that each of those respective independent claims is allowable. In addition, at least some of the dependent claims

Customer No. 22,852  
Application No. 09/917,655  
Attorney Docket No. 07883.0046

recite unique combinations that are neither disclosed nor suggested by the cited references, and therefore at least some also are separately patentable.

In view of the foregoing remarks, this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

The Office Action contains characterizations of the claims and the related art with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization in the Office Action.

In discussing the specification and claims, in this Amendment, it is to be understood that Applicants are in no way intending to limit the scope of the claims to any exemplary embodiments described in the specification or abstract and/or shown in the drawings. Rather, Applicants are entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

Please grant any extensions of time required to enter this Amendment and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: April 27, 2004

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